

**MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION**

April 26, 2011

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** – The meeting of the Board of Technical Registration was called to order at 9:30 AM by Chairman Howell “Chip” Shay.
2. **ROLL CALL** – Board Members in Attendance: Harold “Hal” Epperson, Susan Schaefer Kliman, Howell “Chip” Shay, Erick Weiland, John Willett, Robert Stanley and LeRoy Brady. Arrived late: Douglas Folk Absent: David Komm. Staff: Ronald Dalrymple, Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Patricia Sandino. Assistant Attorney General: Mona Baskin
3. **CALL TO THE PUBLIC** - No members of the public addressed the Board.
4. **MINUTES**
 - A. Approve, modify and /or reject the March 22, 2011 minutes. Susan Schaefer Kliman moved to adopt the March 22, 2011 minutes. Mr. Epperson requested minor corrections. Mr. Shay amended the motion to include minor corrections. Mr. Epperson seconded, motion was carried.
5. **ENFORCEMENT MATTERS**

Review, Consideration and Possible Vote on the following:

 - A. Proposed Letters of Concern
 1. M11-025, Jimmy W. Springer, Land Surveyor #34399 – Mr. Epperson, moved to issue a Letter of Concern to the Respondent for not recording the survey within the required time frame. Dr. Schaefer Kliman moved seconded. After discussion, motion carried.
 - B. Proposed Consent Agreements
 1. M09-135, Carlton H. Wise, P.E. (Mechanical) #28591 – Mr. Willett, moved to accept Respondent’s signed Consent Agreement encompassing the following order: Letter of Reprimand; and Cost of Investigation; Respondent shall pay the cost of investigation in the amount of \$370.00. Mr. Epperson seconded. After discussion, motion carried.
 2. M10-055, Architectural Design Group Inc. Dr. Schaefer Kliman, moved to accept Respondent’s signed Consent Agreement encompassing the following order: Letter of Reprimand; and Cost of Investigation; Respondent shall pay the cost of investigation in the amount of \$190.00. Mr. Weiland seconded. After discussion, motion carried.
 - C. Discussion and Consideration

1. 011F-M10045-BTR/M10-045, Thomas H. Trimble, P.E. (Civil) #15620 & Land Surveyor 15343 – The State moved to Deem Allegations Admitted: After motion by Weiland, and discussion, the Board voted to (1) Deem the allegations admitted in the complaint, dated February 9, 2011 against the Respondent (2) Adopt the Findings of Fact and Conclusion of Law. Mr. Epperson seconded the motion. Motion carried.

Mr. Shay motioned to revoke Mr. Trimble's Civil Engineer and Land Surveyor license. Mr. Stanley seconded. Motion carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration, and Possible Vote on the following:

A. Proposed Letters of Concern

1. HI11-005, Robert J. Jeglum, Home Inspector #42690 – Mr. Epperson moved to issue Respondent a Letter of Concern regarding reporting deficiencies. Dr. Schaefer Kliman seconded the motion. After discussion, motion carried.

B. Enforcement Advisory Candidate

1. Gary T. Heller, Home Inspector #43145 – Mr. Willett moved to appoint Mr. Heller as an Enforcement Advisory Committee member. Mr. Stanley seconded the motion. After discussion, motion carried.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Vote on the following:

There were no Drug Laboratory Enforcement Matters before the Board.

8. LICENSING MATTERS

Review, Consideration, and Possible Vote on the following: Review, Consideration, and Possible Action on the following:

1. Conto, John, Architect Application #070787 – Mr. Conto addressed the Board telephonically. Dr. Schaefer Kliman moved to deny the Applicant an extension to take and pass the ARE. Mr. Weiland seconded. After discussion, motion carried.
2. Riedel, William, Jr., Architect Application #110164 – Dr. Schaefer Kliman moved to approve Mr. Riedel's application and grant him registration once he has completed the IDP. Mr. Weiland seconded. After discussion, motion carried.
3. Arp-Romero, Adam, Civil Engineering Application #090446 – Mr. Romero was present and addressed the Board. Mr. Willett moved to approve Mr. Romero's application and grant him registration. Mr. Stanley seconded. After discussion, motion carried.
4. Breazeale, Lloyd, EIT Application #110047 – Mr. Breazeale was present and addressed the Board. Mr. Willett moved to approve Mr. Breazeale to take the Engineering In-

Training exam and grant him the designation. Mr. Stanley seconded. After discussion, motion carried.

5. Hamilton, Mark, Civil Engineering Application #110084 – Mr. Hamilton was present and addressed the Board. Mr. Willett moved to approve Mr. Hamilton's application and grant him registration. Mr. Stanley seconded. After discussion, motion carried.
6. Jacobson, Michael, Assayer Application #110129 – Mr. Jacobson was present and addressed the Board. Mr. Weiland moved to approve for Mr. Jacobson to take the Assayer's Examination, and after successfully passing it, grant him registration. Dr. Schaefer Kliman seconded. After discussion, motion carried.
7. Laity, George, Electrical Engineering Application #110280 – Mr. Laity was present and addressed the Board. Mr. Stanley moved to approve Mr. Laity's application and grant him registration. Mr. Epperson seconded. After discussion, motion carried.
8. Parpart, David, Electrical Engineering Application #110046 – Mr. Parpart addressed the Board telephonically. Mr. Willett moved to approve Mr. Parpart's application and grant him registration. Mr. Stanley seconded. After discussion, motion carried.
9. Schnorbus, Myles, EIT Application #110054 – After discussion the Board moved to defer this case to another Board meeting. The Board took no action on this item.

9. LICENSING CONSENT AGENDA

Review, Consideration, and Action on the Evaluation Committee and Staff Recommendations for the following (Lists of names available at the Board's office for public review):

Sanchez Trejo, Tanya, Architect Application #091563 – Ms. Cornelius requested replace Applicant's AIT file #050338 with the Architect Application #091563 currently on the list so that the Board would close the AIT file.

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications, pursuant to A.R.S. §§ 32-122.01, 32-123;
4. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E);

Mr. Epperson moved that the applicants listed in 9(A)(1) be granted professional registration, certification, or in-training designation; that the applicants listed in 9(A)(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants listed in 9(A)(3) be granted professional registration; and that the application files listed in 9(A)(4) be

administratively closed based upon the applicants' failure to meet the Board's licensing requirements. Dr. Schaefer Kliman seconded. After discussion, motion carried.

10. POLICY MATTERS

1. Mandating Continuing Education for all professional registrants. Dr. Schaefer Kliman reported she attended the L&R Committee meeting on April 21, 2011. The Committee felt it was beneficial to share with the Board background information. Mr. Brady provided the Nevada State Board of Landscape Architecture proposed Continuing Education Information Packet. Dr. Schaefer Kliman provided the National Council of Architectural Registration (NCARB) Draft of the Resolutions to be acted upon at the June 2011 Annual Meeting and Conference.

11. Review, Consideration, and Possible Vote on the following:

Obeid, Khaled, Structural Engineer, Applicant #37163 – Ms. Cornelius requested that the Board remove him from the list to be cancelled. The Registrant paid all fees. Mr. Epperson moved to remove Registrant from the 11.A list. Mr. Stanley seconded. After discussion, motion carried.

- A. Registrations that have been expired for three (3) years and recommended to be cancelled: (List of names available at the Board's office for public review.) Mr. Epperson moved to cancel the certificates listed in 11.A. Mr. Stanley seconded. After discussion, motion carried.
- B. Certifications that have been expired for one (1) year and recommended to be cancelled: (List of names available at the Board's office for public review.) Mr. Epperson moved to cancel the certificates listed in 11.B. Mr. Stanley seconded. After discussion, motion carried.

12. **DIRECTOR'S REPORT** – Executive Director, Mr. Dalrymple updated the Board on the final status on the four Bills that were introduced during this legislative session.

13. BOARD CHAIR'S REPORT –

Mr. Shay reported that he is currently serving as an Advisory Committee member at the Technical Education Professional Advisory Conference for the Architectural and Structural Advisory Committee at Mesa Community College. The Committee is concerned about the curriculum, degree plans and registration. The Committee questioned whether a Community College degree curriculum is equivalent to transfer into a four-year degree and whether the Board will accept a community college degree as an equivalent in education.

Mr. Shay encouraged the board members to serve on these types of committees, as a Special Advisor and/or as an actual faculty member.

14. STANDING COMMITTEE REPORT

- A. Legislation and Rules Committee ("L&R") – Dr. Susan Schaefer Kliman reported on the following items discussed at the L&R Committee on April 21, 2011.

The Committee discussed whether to amend A.A.C.R 4-30-208(A) (2) (e) to grant applicants who work fulltime in a field related to the registration they wish to obtain and attend school full-time during the same 12 month period with more credit toward registration. Staff is to provide a statistical report that shows how many applicants are currently being affected by this and what types of problems they encounter.

The Committee had a lengthy discussion on Continuing Education. Representatives from APLS and AIA provided background information. The Committee will be conducting a survey which will be mailed out to various professional organizations, such as Arizona Chapter, American Institute of Architects ("AIA"), Arizona Society of Civil Engineers ("AzSCE"), Arizona Society of Professional Engineers ("ASPE"), Arizona Chapter, American Institute of Professional Geologists ("AIPG"), Arizona Professional Land Surveyors ("APLS"), Arizona Chapter, American Society of Landscape Architects ("ASLA"), Structural Engineers Association of Arizona ("SEAOA") and the National Association of State Boards Of Geology ("ASBOG") to determine interest and desired requirements among the professions. This process is to acquire a sense of what the requirements are across the country in the different professions. The Committee is expected to get the surveys back by early June. The next Committee meeting is June 14, 2011. The Committee plans to engage each profession in this discussion and take care of all the concerns for each profession the Board regulates.

The Committee discussed electronic signatures and seals, Rule A.A.C. 4-30-304(G). The Committee received a question from a registrant who was concerned about what the rule requires does and what the technology allows registrants to do. After some discussion, the Committee agreed that staff should work with the Attorney's Office to develop a "Most frequently asked questions" document.

- B. Budget Committee – Mr. Dalrymple provided a budget report.
- C. Home Inspector Rules and Standards Committee – Mr. Shay reported on the following items that were discussed at the Home Inspector Committee meeting:

The Committee discussed Pool & Spa rules for Arizona: The national standards proposed by the American Society of Home Inspectors are inadequate and they are not predisposed to re-write them. It appears that neither Arizona Society Home Inspectors ("ASHI"), nor Arizona Home Inspector Rules and Standards ("HIRSC") is in a position to unilaterally publish its own standards. The Committee is working with the American Association of Pool and Spa Professionals (AAPS) to write a national standard which the BTR could adopt.

The Committee expressed its appreciation for the Board Technical Registration's support in communicating the Committee's concerns to the real of estate department and real estate professional association about the real estate community's preferred vendor programs.

The Committee continues to work on the wording of the letter from the HIRS Chair, Peter Leeds regarding the Broadview Security National Inspection Program regarding their home inspection warranty program, or a more generic letter to the home inspectors. This is still pending resolution by the staff and the committee.

The Committee discussed the status of notice restricting home inspectors from receiving commission or compensation from referrals, or finder's fees for termite inspections. It was noted, that it was not in the current newsletter and questioned if it was on the web site.

The Committee discussed the appointment of Gary T. Heller CHI # 43145 to the Enforcement Advisory Committee. After interviewing Mr. Heller the Committee recommended Mr. Heller to the Board for appointment.

- D. Environmental Remediation Rules and Standards Committee ("ERRS") – Mr. Weiland advised there was nothing new to report.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

- A. National Council of Examiners for Engineering and Surveying ("NCEES") – There was nothing new to report.
- B. National Council of Architectural Registration Boards ("NCARB") – Dr. Susan Schaefer Kliman reported she and Ms. Cornelius attended the Western Council Architectural Registration Board ("WCARB") meeting in Cleveland, OH. The items that were discussed were Continuing Education; NCARB announced they have a new Executive Director who will be introduced at the annual meeting in June. Also due to her service on the Executive Committee, Dr. Susan Schaefer Kliman was elected as the Western Council Architectural Registration Board Chair.
- C. Council of Landscape Architectural Registration Boards ("CLARB") – Mr. Brady reported that on April 28, 2011, he will be going to the University of Arizona and talk to the students regarding registration.
- D. National Association of State Boards of Geology ("ASBOG") – Mr. Weiland reported he attended the April 2011 Council of Examiners (COE) meeting of ASBOG held in San Diego, CA. Approximately 50 State Representatives and Subject Matter Experts (SME's) were in attendance. Sad news came just prior to the meeting in that Steve Warner passed away from a heart attack. Jack Warner lead the sessions with help from long term ASBOG participants and a moment of silence was held in honor of Steve each of the mornings. The number of tests administered continues to decline, but at a slower pace. The percentage of passing scores remains approximately the same as it has been for many years, a testament to the stability of the test and value of the test development process. During the meeting, several individuals expressed great appreciation for everything that the Arizona Board did in the early years to provide key assistance to ASBOG making it possible to form and be successful. It was especially noted that Mr. Dalrymple provide critical help in many forms during those first years and that ASBOG owes him a great deal of gratitude for his help.

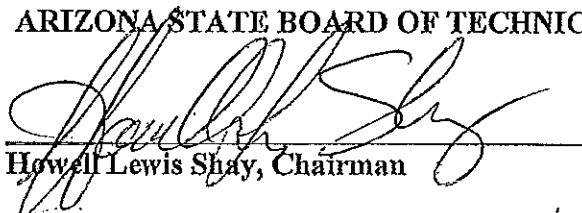
E. Public Member News/Information – Mr. Folk advised there was nothing new to report.

16. FUTURE BOARD MEETINGS –Tuesday, May 24, 2011 at 9:30 AM.

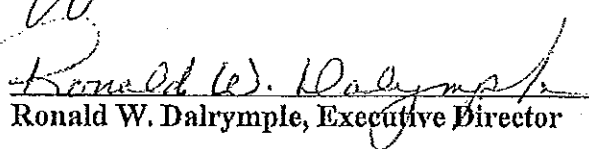
17. FUTURE AGENDA ITEMS –None at this time.

18. ADJOURNMENT–Meeting adjourned at 11:07 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



Howell Lewis Shay, Chairman



Ronald W. Dalrymple, Executive Director